

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-44 are pending in the application, with claims 1, 21, and 34-36 being the independent claims. Claims 1-13, 21-27, and 34-36 are sought to be amended. Applicant reserves the right to prosecute similar or broader claims, with respect to any cancelled or amended claims, in the future.

It is noted that this Application is related to a number of other patents and applications. The claims presented in this Application should be interpreted solely based on the file history of this Application, not the file history of any related patents or applications.

With respect to this Application, Applicants hereby rescind any disclaimer of claim scope made in the parent application or any predecessor or related application. The Examiner is advised that any previous disclaimer of claim scope, if any, and the references that it was made to allegedly avoid, may need to be revisited.

Further, although the present communication may include alterations to the Application or characterizations of claim scope or referenced art, reviewers of this or any parent, child, or related prosecution history shall not reasonably infer that Applicants have made any disclaimers or disavowals of any subject matter supported by the present Application. Nor should any previous disclaimer of claim scope, if any, in this Application be read back into any predecessor or related application.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 1-19, 21-32, 34, and 35

In the Non-Final Office Action dated November 10, 2008, the Examiner rejected claims 1-19 and 21-32 under 35 U.S.C. § 103(a) as allegedly being obvious over WIPO Publication No. WO 01/77783 A2 to Russell et al. (“Russell”), in view of U.S. Patent No. 6,892,306 to En-Seung et al. (“En-Seung”), and further in view of U.S. Patent Application Publication No. 2002/0016922 to Richards et al. (“Richards”). Applicants respectfully traverse.

Claim 1 recites, *inter alia*, “retrieving at the first server machine a user key permitting access to an encrypted sub-header of the secured item, the encrypted sub-header including access rules for the secured item, the sub-header corresponding to the user or to a group to which the user belongs.” En-Seung and Russell do not disclose this feature of claim 1, nor does the Examiner rely on En-Seung and Russell as allegedly disclosing this feature. Instead, the Examiner relies on Richards, stating that Richards “discloses a system where a given requester is permitted to access a secure item based on access rules stored in an encrypted header of a secure item.” (Office Action, p. 4 (citing Richards, Fig. 4 and paras. 0066-0068)). Although Applicants do not acquiesce to this interpretation of Richards, it is clear that Richards does not disclose the use of “an encrypted **sub-header**,” nor that any such sub-header “correspond[s] to the user or to a group to which the user belongs,” as recited in claim 1. Since the combination of Russell, En-Seung, and Richards fails to teach or suggest at least this feature of claim 1, the Examiner has failed to make a *prima facie* case of obviousness.

Independent claims 21, 34, and 35 recite similar features as claim 1, using respective language, and are also not rendered obvious by the combination of Russell, En-Seung, and Richards for similar reasons as discussed above with regard to claim 1. Dependent claims 2-19 and 22-32 are also not rendered obvious by the combination of Russell, En-Seung, and Richards for at least the same reasons as claims 1 and 21, from which they depend, and further in view of their own respective features. Accordingly, Applicants respectfully request the reconsideration and withdrawal of the rejection of claims 1-19, 21-32, 34, and 35 under 35 U.S.C. § 103(a).

Claims 20 and 33

In the Office Action, the Examiner rejected claims 20 and 33 under 35 U.S.C. § 103(a) as allegedly being obvious over Russell in view of En-Seung, Richards, and U.S. Patent Application Publication No. 2003/0050919 to Brown et al. ("Brown"). Applicants respectfully traverse.

As noted above, the combination of Russell, En-Seung, and Richards does not teach or suggest each and every feature of claims 1 and 21. Brown does not supply the missing teaching or suggestion, and therefore the combination of Russell, En-Seung, Richards, and Brown does not teach or suggest each and every feature of claims 1 and 21 and accordingly does not render claims 1 and 21 obvious. Claims 20 and 33 are therefore also not rendered obvious by the combination of Russell, En-Seung, Richards, and Brown for at least the same reasons as claims 1 and 21, from which they depend, and further in view of their own respective features. Accordingly, Applicants respectfully

request the reconsideration and withdrawal of the rejection of claims 20 and 33 under 35 U.S.C. § 103(a).

Claims 36-44

In the Office Action, the Examiner rejected claims 36-44 under 35 U.S.C. § 103(a) as being allegedly obvious over Russell in view of Richards. Applicants respectfully traverse.

As noted above, the combination of Russell and Richards (further in view of En-Seung) does not teach or suggest each and every feature of claim 1. Claim 36 similarly recites, *inter alia*, “based on information stored in an encrypted sub-header of a secure item, ***the sub-header corresponding to the given requestor or to a group to which the requestor belongs***, a given requestor, permitted to access the secure item through one or more of said local servers, is only able to access the secure item using only a single one of said local servers or the central server such that the given requestor is only permitted to access the secure item through at most one of said local servers at a time,” and is therefore not rendered obvious by the combination of Russell and Richards for similar reasons as claim 1. Claims 37-44 are also not rendered obvious by the combination of Russell and Richards for at least the same reasons as claim 36, from which they depend, and further in view of their own respective features. Accordingly, Applicants respectfully request the reconsideration and withdrawal of the rejection of claims 36-44 under 35 U.S.C. § 103(a).

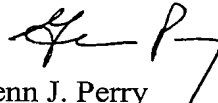
Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Glenn J. Perry
Attorney for Applicants
Registration No. 28,458

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1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

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